

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF NEW YORK**

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**Dennis G. McKay, Jr.**

vs.

**Major Smith, et al**

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JUDGMENT IN A CIVIL CASE

**CASE NO.** 9:07-CV-1081

\_\_\_\_\_ **JURY VERDICT.** This action came before this Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

**X** **DECISION BY COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** THAT PETITIONER'S HABEAS PETITION IS DISMISSED.

IN ACCORDANCE WITH THE HONORABLE THOMAS J. MCAVOY'S  
DECISION AND ORDER FILED MARCH 10, 2008.

Dated: March 11, 2008

  
Clerk of Court

s/S. Potter  
By: Deputy Clerk